



Sector \$ #3  
PBA  
4/14/98

PATENT  
Attorney Docket No. 04121.0116.01000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )

Holly Hogrefe and Connie J. Hansen )

Serial No. 08/957,709 )

Filed: October 24, 1997 )

For: POLYMERASE ENHANCING FACTOR )  
(PEF) EXTRACTS, PEF PROTEIN )  
COMPLEXES, ISOLATED PEF )  
PROTEINS, AND METHODS FOR )  
PURIFYING AND IDENTIFYING THEM )

Assistant Commissioner for Patents  
Washington, D.C. 20231

Attention: Box Missing Parts

Sir:

2924

Group Art Unit: 1809

Examiner: Not Yet Assigned

RECEIVED

MAR 16 1998

MATRIX CUSTOMER  
SERVICE CENTER

RESPONSE TO NOTICE TO FILE  
MISSING PARTS OF APPLICATION

In response to the Notice to File Missing Parts of Application mailed January 7, 1998, Applicants submit (1) a verified statement claiming small entity status; (2) the statutory basic filing fee of \$395.00 (small entity fee); (3) a copy of the January 7, 1998, Notice To File Missing Parts Of Application-Filing Date Granted; (4) an executed Declaration/Power of Attorney for the above-identified application; (5) the additional

LAW OFFICES  
03/19/1998 PHILADELPHIA 00000024 08957709  
01 HENDERSON, GARRETT  
02 FAIRFIELD, GARRETT  
03 STANFORD RESEARCH PARK  
04 HANSEN WAY  
05 SAN JOSE, CALIF. 94304  
650-849-6600

claims fees \$615.00 op  
\$135.00 op  
\$395.00 op  
\$65.00 op  
(\$small entity fees)

In the January 7, 1998, Notice to File Missing Parts, the stated amount owed in extra claims fee is incorrect. Applicants assert that the total extra claims fee should be calculated based on 105 total claims, 18 independent claims and the multiple dependent claim fee. Applicants are concurrently filing a Verified Statement (Declaration) Claiming Small Entity Status-Small Business Concern in the subject application. Therefore, Applicants are entitled to pay small entity fees. The multiple dependent claim fee for a small entity is \$135.00. The additional total claim fee for total claims exceeding twenty claims in this application is \$935.00. The additional independent claim fee for independent claims exceeding three claims in this application is \$615.00. Thus, the total amount owed in this application for the extra claims fee is \$1685.00. Therefore, the total amount owed in filing fees for the subject application should be \$2080.00.

Accordingly, Applicants enclose a check in the amount of \$2145.00, which includes the surcharge.

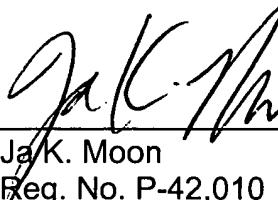
Further, please associate the enclosed executed declaration with the above-identified application.

To the extent any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this response, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 06-0916.

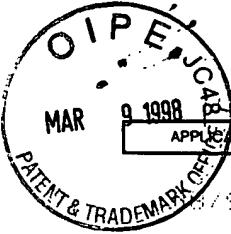
Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By:

  
Jack K. Moon  
Reg. No. P-42,010

Dated: March 6, 1998



# UNITED STATES DEPARTMENT OF COMMERCE

**Patent and Trademark Office**  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
1550	10/24/97	HOGREFE	H 1486/4136

ARK 8/957, 7091 C 10/24/97 HOGREFE

H 1486/413630

111 A 10

2. *Constitutive* *and* *inducible* *gene* *expression* *in* *Escherichia* *coli*

0292

EVANSON MCKEOWN EDWARDS AND LEN

1200 G STREET NW SUITE 700

WASHINGTON DC 20005

NOT ASSIGNED

1909

04/07/98

**NOTICE TO FILE MISSING PARTS OF APPLICATION**

**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted ALONG WITH THE PAYMENT OF A SURCHARGE for items 1 and 3-6 only of \$ 130 for a  large entity  small entity in compliance with 37 CFR 1.27. The surcharge is set forth in 37 CFR 1.16(e). Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

If all required items on this form are filed within the period set above, the total amount owed by applicant as a  
 large entity  small entity (verified statement filed), is \$ 4640.

1. The statutory basic filing fee is:

missing.  
 insufficient.

*Applicant must submit \$ 790 \_\_\_\_\_ to complete the basic filing fee and/or file a verified small entity statement claiming such status (37 CFR 1.27).*

2. Additional claim fees of \$ 3720 \_\_\_\_\_, including any multiple dependent claim fees, are required.

*Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.*

3. The oath or declaration:

is missing.  
 does not cover the newly submitted items.  
 does not identify the application to which it applies.  
 does not include the city and state or foreign country of applicant's residence.

*An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.*

4. The signature(s) to the oath or declaration is/are:

missing.  
 by a person other than inventor or person qualified under 37 CFR 1.42, 1.43, or 1.47.

*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*

5. The signature of the following joint inventor(s) is missing from the oath or declaration:

*An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.*

- 6. A \$\_\_\_\_\_ processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
  - 7. Your filing receipt was mailed in error because your check was returned without payment.
  - 8. The application violates the Sequence Rules.  
See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."
  - 9. OTHER:

Direct the response and any questions about this notice to "Attention: Box Missing Parts."

**A copy of the notice MUST be returned with the response.**

M. S. Smith  
Customer Support Center

Initial Patent Examination Division (703) 308-1202